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# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

MAR 2 9 1994

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE BECRETARY

In the Matter of

Amendment of Part 90 of the Commission's Rules to Adopt Regulations for Automatic Vehicle Monitoring Systems PR Docket No. 93-61

RM No. 8013

TO: The Commission

## REPLY COMMENTS OF MARK IV INDUSTRIES, LTD., I.V.H.S. DIVISION

Mark IV Industries, Ltd., I.V.H.S. Division ("Mark IV") herewith, by its attorneys, files its reply comments in response to the Commission's Public Notice (Docket No. 94-129) dated February 9, 1994 in the above-captioned proceeding.

We and others have described in comments the numerous short-range systems which already exist and the prospects for substantial growth of the use of short-range AVI/VRC technologies. The recent action of The InterAgency Group selecting and recommending Mark IV as the supplier of the tag and reader equipment for the planned three-state "E-Z Pass" electronic toll collection system, is an important example of the expanded uses of the short-range systems of Mark IV, Hughes Transportation Management Systems, Inc.

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See attached copy of the March 18, 1994 News Release of The InterAgency Group for additional details.

("Hughes") and others which will have immense impact on the lives of millions of Americans.

We have recommended in our comments and do so again here that the Commission adopt a channel plan which accommodates 6 MHz of emission bandwidth for short-range systems, such as those of Mark IV, Hughes and others and that the 912-918 MHz subband be available for such operations. We have also requested that other subbands, including those proposed for use by PacTel Teletrac ("Teletrac"), Southwestern Bell Mobile Systems, Inc. ("Southwestern Bell"), Mobilevision, L.P. ("Mobilevision") and Pinpoint Communications, Inc. ("Pinpoint") for AVL uses be available for short-range AVI/VRC uses on a co-primary basis as proposed by The InterAgency Group.

The March 15 comments of Teletrac, Southwestern Bell and Mobilevision do not discuss spectrum sharing between their AVL systems and the short-range AVI/VRC systems of Mark IV and others. The record as reflected in the comments and reply comments on this point filed in June and July of 1993, respectively, supports adoption of shared use and the coordination procedures necessary to implement such shared use. We oppose the adoption of exclusive licensing as proposed by the AVL proponents because such exclusivity could limit or preclude spectrum efficient short-range AVI/VRC operations of users such as the toll authorities represented by The InterAgency Group.

Our review of the March 15 comments indicates that for the most part the AVL providers addressed in their comments the following: the scope of the spectrum allocation for wide-area

systems; potential interference conflicts between such wide-area systems and Part 15 devices; the merits of the different AVL technologies proposed by Teletrac, Southwestern Bell and Pinpoint; and competitive licensing opportunities among incumbent and prospective licensees of wide-area systems in various markets. Without commenting on any of the foregoing matters, we support adoption of allocations and licensing policies to permit wide-area systems to be operated in the 902-928 MHz band subject to appropriate channel sharing with short-range AVI/VRC operations. The Commission has an adequate record to adopt permanent AVM rules and should do so as promptly as possible for all of the reasons expressed in the comments of The InterAgency Group.

Respectfully submitted,

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March 29, 1994 Its Attorneys

# **NEWS** RELEASE



### INTERAGENCY GROUP

INTERAGENCY GROUP SELECTS E-ZPass VENDOR March 18, 1994

### FOR MMEDIATE RELEASE

NEW YORK, NY. A seven-agency group representing toll authorities in New York, New Jersey, and Pennsylvania today announced the selection of a manufacturer to furnish a compatible electronic toll collection system which will be recommended to each agency's governing board. The system is designed to increase customer convenience and reduce toll plaza congestion.

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Mark IV IVHS Incorporated of Amherst, NY was selected to provide the tag and reader equipment for the system, named E-ZPass by the Interagency Group, that will be used on toll roads, bridges, and tunnels in the three states. Collectively, facilities operated by the seven agencies serve more than four million customers daily.

(516) 439-2983

The selection was made following more than two years of cooperation among the seven agencies - the New Jersey Highway Authority (operator of the Garden State Parkway), the New Jersey Tumpike Authority, the New York State Thruway Authority, the Pennsylvania Turnpike Commission, the Port Authority of New York and New Jersey, the South Jersey Transportation Authority (operator of the Atlantic City Expressway), and the Triborough Bridge and Tunnel Authority. As a result of this unprecedented atliance, there will be a one-tag system that will maximize customer convenience in the three states. Implementation plans call for the installation of E-ZPass technology by each of the individual agencies using a phased approach. Beginning in early 1995, full implementation is expected to be complete by 1999.

E-ZPass will eliminate the need for motorists to exchange cash, tokens, or tickets at a toll booth. Instead, tolls will be paid electronically as a vehicle passes through the toll booth. When fully implemented, E-ZPass will be available at all participating toll facilities in the tri-state region.

Tory Bord (212) 435-7777

> Today's selection culminates extensive testing of read/write technology tag and reader equipment from both Amtech Systems Corporation and Mark IV IVHS Incorporated, the two finalists. The read/write technology is considered state-of-theart for the transportation industry. In addition to the interagency Group sponsored tests, several regional toll authorities have conducted individual tests of various types of electronic toll collection (ETC) equipment and have shared the results.

(212) 400-0400

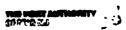












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Vehicles using E-ZPass will be equipped with a small electronic device, known as a tag, that communicates vehicle information to equipment in the toll lanes that collect and transmit data to and from the tags. The data are then processed and the appropriate toll charged to or credited against the customer's account. Each individual agency will establish E-ZPass customer account procedures for customers using its toll facilities. Special attention will be given to ensure that account procedures and polices are as consistent as possible among the agencies for the benefit of their shared customers.

Each agency will be implementing E-ZPass at its facilities in accordance with local operating conditions with the overall objective of maximizing safety and convenience. Some agencies may offer E-ZPass with a brief stop in the toll lane, while others may offer it with "roll through" at a slow speed. For customers who do not choose to use E-ZPass, the existing means of paying tolls will continue to be available at each agency.

The New York State Thruway Authority (NYSTA) has dedicated, non-stop "E-ZPass Only" lanes at its recently introduced, interim E-ZPass installations at the Tappan Zee Bridge, Spring Valley, and Yonkers toll plazas in the New York City area and at the Grand Island Bridges, located north of Buffalo. The NYSTA will convert these sites to the (NAMED) technology.

#### CERTIFICATE OF SERVICE

I, Judy Cooper, a secretary in the law firm of Koteen & Naftalin, do hereby certify that a copy of the foregoing "Reply Comments of Mark IV IVHS Division" was sent by first class U.S. mail, postage prepaid, on this 29th day of March, 1994, to the following:

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